

AO 91 (Rev. 08/09) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

ARTHUR JOHNSTON, CLERK

United States of America

v.

FNU LNU

a/k/a Albertina Lopez

Case No.

1:20mj11-JCG

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 9, 2019 in the county of Harrison in the
Southern District of MS, Southern Division, the defendant(s) violated:

Code Section

18 U.S.C. § 1546

Offense Description

Fraud and Misuse of Visa/Permits/Other Documents

This criminal complaint is based on these facts:

See Affidavit, which is attached hereto and incorporated by reference herein.

☒ Continued on the attached sheet.

Complainant's signature

Todd Key, Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date:

1/17/2020

Judge's signature

City and state:

Gulfport, Mississippi

John C. Gargiulo, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

STATE OF MISSISSIPPI)
COUNTY OF HARRISON)
SOUTHERN DISTRICT OF MISSISSIPPI)

I, Todd Key, being first duly sworn, hereby depose and say that:

1. Affiant, Todd Key, is a Special Agent (SA) with the United States Department of Homeland Security (DHS), Homeland Security Investigations (HSI), since 2006, and a graduate of the Federal Law Enforcement Training Facility. Your affiant has received training with Immigration Law Enforcement investigations and has previously worked numerous Immigration investigations involving the apprehension of violators of U.S. Immigration Law.

2. On July 18, 2018, HSI Gulfport commenced an Employment Eligibility Verification Form (Form I-9) Initiative. HSI enforces the Immigration and Nationality Act (INA) Section 274A, which requires employers in the United States to verify employment eligibility of their employees. This requirement of federal law would include employees working for GCP Laboratories located at 3600 25th Avenue, Gulfport, Mississippi 39501.

3. During the HSI inspection of GCP Laboratories, HSI determined that sixteen employees presented identity documents that appeared to be suspect or invalid as proof of employment eligibility. Section 274A(2) and Title 8 United States Code Section 1324 of the INA make it unlawful for a person or other entity, after hiring an alien for employment, to continue to employ the alien knowing that the alien is, or has become, unauthorized for employment.

4. On November 15, 2019, your affiant presented a DHS Notice of Suspect Documents letter to GCP Laboratories requesting the review of the suspect sixteen employee's identity work documents. On December 2, 2019, GCP Laboratories responded to the Suspect Document letter advising that thirteen employees were no longer working at GCP Laboratories and three employees presented new identity documents. Your affiant conducted database research, and determined that those three employees still were not authorized to work, and were using fraudulently obtained identities.

5. Specifically, your affiant reviewed a Form I-9 signed/dated April 12, 2015, in the name of Albertina Lopez, bearing an Immigration Alien Number ending in 278, and a Social Security Number ending in 8912. Research revealed that this Immigration Alien Number was in the name of another individual, with a different Date of Birth and Social Security Number.

6. On or about December 9, 2019, GCP Laboratories provided your affiant with an updated and signed Form I-9, in the name of Albertina Lopez, dated December 9, 2019, and bearing the same

Social Security Number as used before (ending in 8912), and the same Alien Registration Number as used before (ending in 278). The attached photocopy of an Immigration Permanent Resident Alien Card, in the name of Albertina Lopez, showed an expiration date of May 6, 2023, and was submitted as documentation for the person using the name of Albertina Lopez, for the purpose of filling out the Form I-9, and for employment at GCP Laboratories.

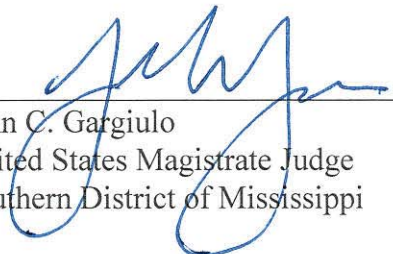
7. As follow-up research regarding this case, on or about December 16, 2019, your affiant received a Social Security Administration "no match" letter advising that Social Security Numbers ending in 8912, did not lawfully belong to a person named Albertina Lopez. The Social Security number ending in 8912, used at GCP Laboratories by the person using the name of Albertina Lopez, belonged to a deceased victim.

8. Based on the aforementioned facts and circumstances, your affiant believes that there is probable cause to believe that the GCP Laboratories current or former employee referenced above and listed here as First Name Unknown (FNU) Last Name Unknown (LNU), who used the name of Albertina Lopez, violated Title 18, United States Code, Section 1546, Fraud and Misuse of Visas, Permits and Other Documents; and, Title 18, United States Code, Section 1028(a)(4), knowing possession of an identification document (other than one issued lawfully for the use of the possessor), authentication feature, or a false identification document, with the intent such document or feature be used to defraud the United States.



Todd Key
Special Agent
Homeland Security Investigations

Sworn to and subscribed before me,
this, the 17th day of January, 2020.



John C. Gargiulo
United States Magistrate Judge
Southern District of Mississippi